

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

ADVANCE SERVICES, INC.,

Plaintiff,

VS.

**CANDLEWOOD SHELLS LLC,
HUNTER WISE FINANCIAL GROUP,
LLC, SKY LLC, RIEDEL MARKETING ,
WHITE HAT FOOD & BEVERAGE
GROUP, GARY F. PRYOR, BRADLEY
E. KULURIS, FRANK PATTON,**

Defendants.

CASE NO. 8:03CV108

MEMORANDUM AND ORDER

IN THE MATTER OF:

BRADLEY E. KULURIS,

Debtor.

CASE NO. BK A04-8084
Chapter 7

This matter is now before the Court on the Report and Recommendation of Chief Judge Timothy J. Mahoney of the United States Bankruptcy Court. (Filing No. 104). Chief Judge Mahoney recommends that this Court withdraw its reference of the case to the bankruptcy court, that the claims against the Defendant Kuluris be dismissed, and that the litigation be allowed to proceed. In the adversary proceeding, the parties agreed to this procedure. There are no objections to the Report and Recommendation. Accordingly,

IT IS ORDERED:

1. The Report and Recommendation (Filing No. 104) is adopted in its entirety;
2. The reference to the United States Bankruptcy Court for the District of Nebraska is withdrawn;

3. All claims against Defendant Bradley E. Kuluris are hereby dismissed without prejudice;
4. The case shall be allowed to proceed against all remaining defendants, and counsel are directed to contact the chambers of Magistrate Judge F.A. Gossett within 10 days of this Order to discuss final progression deadlines for this case; and
5. The Clerk of the District Court shall process this order according to the local rules of the Court.

DATED this 30th day of November, 2005.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge